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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/812,709	03/19/2001	Masahiro Minowa	81747.0192	9714
26021	7590	12/15/2005	EXAMINER	
HOGAN & HARTSON L.L.P. 500 S. GRAND AVENUE SUITE 1900 LOS ANGELES, CA 90071-2611			BHATIA, AJAY M	
			ART UNIT	PAPER NUMBER
			2145	

DATE MAILED: 12/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/812,709

Applicant(s)

MINOWA, MASAHIRO

Examiner

Ajay M. Bhatia

Art Unit

2145

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 September 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date July 28 05
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

Response to Arguments

Applicant's arguments with respect to claims 1-20 have been considered but are moot in view of the new ground(s) of rejection. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-20 rejected under 35 U.S.C. 102(b) as being anticipated by O'Brien (U.S. Patent 5,832,457).

For claim 1, O'Brien teaches, a receipt printing and issuing system having an input device, a printing device, a display device, and a storage device for printing other information in addition to required print information, comprising:

a memory control device for receiving and storing advertising one or more advertisements or other additional information to be printed on a receipt paper, wherein the additional information is information other than the required information; (O'Brien, Col. 7 lines 33-35, without separate printer)

a display/input device for interacting with customers(O'Brien, Col. 11 lines 28-36, pos system)

a control device for generating a list of items of the additional information to be displayed on the display/input device according to a predetermined condition; (O'Brien, Col. 6 lines 24-60, time from last purchase)

a selection control device for receiving one or more items selected through the display/input; and(O'Brien, Col. 12 lines 12-23, preselected product)

wherein the event selection input waiting time elapses, and there is no selection by the customer, the selection control device can function to select the additional information from a list of items of the additional information; and(O'Brien, Col. 12 lines 12-23 preselected product)

a print data generating device for generating print data to be printed on the receipt paper by merging original receipt information according to the payment transaction and the additional information designated by the one or more selected items in the list and sending the merged information to the printing device. (O'Brien, Col. 7 lines 33-35, without separate printer)

For claim 2, O'Brien teaches, a receipt printing and issuing system as described in claim 1, wherein the memory control device receives and stores said additional information input over a network. (O'Brien, Col. 5 line 61 to Col. 6 line 3 communication link)

For claim 3, O'Brien teaches, a receipt printing and issuing system as described in claim 1, wherein the selection control device selects at least one item of additional information. (O'Brien, Col. 12 lines 12-23 preselected product)

For claim 4, O'Brien teaches, a receipt printing and issuing system as described in claim 3, wherein the selection control device automatically reads specific additional information according to a specific rule when a specific time has elapsed. (O'Brien, Col. 12 lines 12-23 preselected product)

For claim 5, O'Brien teaches, a receipt printing and issuing system as described in claim 4, wherein the display control device selectively changes the specific condition for generating a list of additional information presented on the display device. (O'Brien, Col. 11 line 44 to Col. 12 line 23 "paths")

For claim 6, O'Brien teaches, a receipt printing and issuing system as described in claim 3, wherein the print data generating device generates print data by reducing plural items of additional information read by the selection control device to a specific ratio when plural items of additional information are selected. (O'Brien, Col. 12 lines 42-55, store filter, Col. 13 lines 24-35, number of items)

For claim 7, O'Brien teaches, a receipt printing and issuing system as described in claim 1, wherein the receipt printing and issuing system is a purchase transaction processing system further comprising:

(e) an accounting information control device for registering a product purchase by a customer and outputting accounting information; (O'Brien, Col. 11 lines 29-39, scanner)

said print data generating device generating print data by combining accounting information output by the accounting information control device with the additional information read by the selection control device for printing as a receipt. (O'Brien, Col. 7 lines 33-35 printer)

For claim 9, O'Brien teaches, an additional information printing method using a receipt printing and issuing system having an input device, printing device, display device, and storage device for storing advertising or other additional information, and printing said additional information in addition to information for a primary purpose, said printing method comprising:

(a) displaying a list of printable additional information to a customer including the one or more advertisements included in said display list; (O'Brien, Col. 11 lines 28-36, pos system)

(b) receiving input from the customer selecting additional information including the one or more advertisements included in said display list; (O'Brien, Col. 12 lines 12-23 preselected product)

wherein the event selection input waiting time elapses, and there is no selection by the customer, the selection control device can function to select the additional information from a list of items of the additional information; (O'Brien, Col. 12 lines 12-23 preselected product)

(c) reading the additional information specified by said input; (O'Brien, Col. 12 lines 12-23 preselected product)

(d) generating print data to be printed on receipt paper by merging original receipt information according to the payment transaction and the read additional information designated by the one or more selected item in the list; and (O'Brien, Col. 7 lines 33-35, without separate printer)

(e) sending the generated print data to the printing device. (O'Brien, Col. 7 lines 33-35, without separate printer)

For claim 10, O'Brien teaches, an additional information printing method as described in claim 9, further comprising:

(f) extracting additional information satisfying a particular condition from the stored additional information, and generating the additional information list displayed in step (a). (O'Brien, Col. 6 lines 4-56, past history)

For claim 11, O'Brien teaches, an additional information printing method as described in claim 10, wherein the particular condition in step (f) is selectively changeable. (O'Brien, Col. 6 lines 4-56, past history)

For claim 12, O'Brien teaches, an additional information printing method as described in claim 9, further comprising:

(g) updating the stored additional information with additional information input by way of a network. (O'Brien, Col. 5 line 62 to Col. 6 line 3 communication link)

For claim 13, O'Brien teaches, an additional information printing method as described in claim 12, wherein step (b) includes selecting at least one item of additional information. (O'Brien, Col. 12 lines 12-23 preselected product)

For claim 14, O'Brien teaches, an additional information printing method as described in claim 9, wherein step (c) includes automatically reading specific additional information according to a specific rule when selection input is not received even after a specific time passes. (O'Brien, Col. 12 lines 12-23 preselected product)

For claim 15, O'Brien teaches, an additional information printing method as described in claim 14, wherein step (d) includes generating print data by reducing plural selected items of additional information to a specific ratio when plural items of additional information are selected. (O'Brien, Col. 12 lines 42-55, store filter, Col. 13 lines 24-35, number of items)

For claim 16, O'Brien teaches, an additional information printing method as described in claim 9, further comprising:

(h) registering a product purchase by a customer and outputting accounting information; (O'Brien, Col. 6 lines 4-56, past history)

wherein step (d) includes generating print data by combining said accounting information with the selected additional information, and sending the print data to the printing device for printing as a receipt. (O'Brien, Col. 7 lines 33-35, printer)

For claim 18, O'Brien teaches, a computer-readable data storage medium having computer program code embodied therein for implementing an additional information printing method as described in claim 9. (O'Brien, Col. 11 lines 28-36, pos system)

For claim 19, O'Brien teaches, the receipt printing and issuing system according to claim 1 wherein said control device for generating the list of items of information generates the list of information satisfying a particular condition related to a customer demographic. (O'Brien, Col. 10 lines 4-22 target group)

For claim 20, O'Brien teaches, the additional information printing method according to claim 9, wherein display a list of printable additional information to a customer includes displaying a list of items of information to a customer that satisfies a particular condition related to a customer demographic. (O'Brien, Col. 10 lines 4-22 target group, Col. 12 lines 12-23 preselected product)

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 8, and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over O'Brien (U.S. Patent 5,832,457).

For claim 8, O'Brien fails to clearly teaches, a receipt printing and issuing system as described in claim 1, wherein the receipt printing and issuing system is a customer ticket issuing system further comprising:

(f) a queuing number control device for managing queuing numbers and outputting said queuing number as print data;

said print data generating device generating and sending to the printing device print data by combining print data output by the queuing number control device with the additional information read by the selection control device.

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine a queuing system with O'Brien because queuing system are well known in the field of point of sale (pos) system. Because a queuing

system provides the benefit of being able to take customers in turn. Therefore official notice is taken.

For claim 17, O'Brien teaches, an additional information printing method as described in claim 9, further comprising:

(i) managing queuing number output and outputting a queuing number as print data;

wherein step (d) includes generating and sending to the printing device print data by combining said queuing number with the selected additional information.

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine a queuing system with O'Brien because queuing systems are well known in the field of point of sale (pos) systems. Because a queuing system provides the benefit of being able to take customers in turn. Therefore official notice is taken.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See attached UPSTO 892 (if appropriate).

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ajay M. Bhatia whose telephone number is (571)-272-3906. The examiner can normally be reached on M-F 8:30 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jason Cardone can be reached on (571)272-3933. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Jason Cardone
Supervisor Patent Examiner
Art Unit 2145

AB